



United States Senate

December 27, 2018

The Honorable Lindsey Graham
Committee on the Judiciary
United States Senate
290 Russell Senate Office Building
Washington, DC 20510

Dear Senator Graham,

In light of the deaths of two young children in Border Patrol custody this month, I write to request that the Committee hold a hearing upon our return on the care and treatment of children in the custody of Customs and Border Protection (CBP).

This December alone, two young children have died in Border Patrol custody, and an infant has been hospitalized shortly after release. Most recently, on Christmas Eve, 8-year-old Felipe Alonzo-Gomez died after suffering flu-like symptoms in Border Patrol custody. Before his death, Felipe was detained for well over the permitted 72-hour period. It appears that Felipe was released from the hospital with a fever of 103, and no EMT was on duty to help him.

Sadly, Felipe's death was not an isolated incident. Earlier this month, Jakelin Caal Maquin, a 7-year old girl from Guatemala, died after she and her father turned themselves into Border Patrol. Border Patrol initially reported that Jakelin had not eaten or drank for several days, despite having access to food and water while in custody. However, Jakelin's father disputes the government's account. He stated that the family was not given water by Border Patrol and that his daughter was healthy before being detained. On December 19, according to reports, a 5-month-old girl was hospitalized with pneumonia after spending five days inside freezing CBP cells in California and being denied medication and medical care.

I sent letters to CBP Commissioner McAleenan on December 17 and 26, but have not received answers to explain why these deaths occurred. I am also concerned Jakelin's death was not raised at our previous Committee hearing on December 11. Finally, I was troubled to hear about the murders of two unaccompanied children in Tijuana, who were part of the caravan. CBP is not

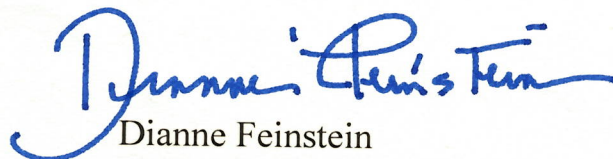
allowing unaccompanied children into the United States at the San Ysidro port-of-entry because, according to Border Patrol, the port is full. However, unaccompanied children are also not being allowed on the "list" of asylum seekers waiting in line for months in Mexico to enter the U.S. The result is that these children are not able to access the asylum process at all, and they are at a high risk of falling victim to violence and exploitation in Mexico.

These heartbreaking incidents are sadly consistent with previous reports of widespread abuse of children in immigration custody and the judgement of medical and mental health organizations that Border Patrol facilities are not adequately staffed or equipped to properly care for children.

Our committee is uniquely situated to examine these issues and I hope we can schedule a hearing immediately in the new year.

Thank you for your consideration.

Sincerely,



Dianne Feinstein
United States Senator